

590-2-1-.04 Rules Filed After February 28, 2003. Amended.

(1) **Number of Filings.** After February 28, 2003, an agency shall electronically file one original of all new rules and amendments to rules. Such rules and/or amendments shall be certified by the authority authorized to certify same on a separate page, termed "Certification Page," in accordance with subparagraph (b) of this paragraph (1), and in accordance with subparagraph (8)(a) of this Rule.

(a) **Authority Signature.** The authority signature shall be notarized and the Notary seal shall appear.

(b) **Original Copy.** The agency shall transmit such filing by electronic mail. Electronic mail filings must be submitted from an agency's electronic mail communications system. Filings submitted by electronic mail shall be in the word processing format of Microsoft Word and presented in the format and style in accordance with subparagraph (b) of this paragraph (1), and in accordance with subparagraph (8)(a) of this Rule. In such case, the electronic mail filings shall be accompanied by a faxed or scanned copy of one original Certification Page per chapter with appropriate signatures and one letter of transmittal.

(2) **Letter of Transmittal.** All rules and amendments shall be accompanied by a letter, termed "letter of transmittal," listing the rule/s concerned (whether in one chapter or in several chapters), and stating the name and telephone number of the person to be contacted should questions arise concerning said rules or amendments.

(a) Only one (1) letter of transmittal is required regardless of the number of rules or chapters being filed at the same time.

(b) The letter of transmittal shall be transmitted via email.

(3) **Rule Title.** Each rule shall have a catchline, or title, defining the substance of said rule. This catchline, or title, shall follow the rule number; each main word of title shall be capitalized; minor words shall not be capitalized.

(a) The title of any paragraph or subparagraph under a rule may be displayed in boldface type.

(4) **Number of Rules in a Chapter.** A chapter may contain only one rule, or may contain many rules relating to the same general subject matter.

(a) Immediately beneath the last line of each rule shall appear the authority pursuant to which such rule was adopted (in accordance with subsection (a) of Section 6 of the Georgia Administrative Procedure Act) (as appears following these rules and regulations).

(5) Citing Amendment to an Existing Rule. If a rule has been repealed and a new rule adopted in lieu thereof, the rule number shall be cited; if the rule title is changed, both the former title and the new title shall be cited.

(a) Only the rule/s (or part/s of a rule) being amended shall appear on the Table of Contents page and any following pages.

(6) Citing Repeal of an Existing Rule. If a rule (or part/s of a rule) is repealed and no new rule (or part/s of a rule) adopted, such action shall be cited on the Certification Page in accordance with paragraph (1) and subparagraph (8)(a) of this Rule. (In such case, do not file a "Table of Contents Page.")

(7) Change of Title of Agency. At such time as the title of an Agency (State Board, Commission, Department, etc.) is changed by law, certification shall be filed with the Office of Secretary of State stating the former title and the new title, and stating the legal authority for such change.

(8) Illustration of Forms. All new rules, amendments, repeals, or emergency rules filed after February 28, 2003, shall use the following forms:

(a) Certification Page. The following certification page shall be filed via fax or email with the rule/s attached thereto, except in the case of repealed rule/s which shall be filed in accordance with paragraph (6) of this Rule. If certification page is faxed, it must be submitted within 24 hours of receipt of the electronic mail filing.

Certification Page (Example):

CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE
CATHY COX
(Pursuant to O. C. G. A. Secs. 50-13-3, 50-13-4 and 50-13-6.)

I do hereby certify that the attached (chapter; new rule/s; amendment/s; repeal/s) is a correct copy (are correct copies) as promulgated and adopted on the ____ day of _____ 20__.

(NAME OF DEPARTMENT IN CAPITAL LETTERS in this space.)

(Filing date in this space.)

(In this space, describe the action taken and identify the chapter, or rule/s, or rule part/s. If a chapter is repealed and a new chapter adopted in lieu thereof with a different title, state the former title and the new title; if a chapter is repealed and no new chapter adopted, state the title of the repealed chapter and declare same repealed in its entirety and no new chapter adopted; if a rule is repealed and no new rule adopted, state the title

of the rule and declare same repealed in its entirety, such as: "Rule [590-2-1-.02](#), entitled "Numbering System," is hereby repealed in its entirety.")

(In this space shall appear the statutory rulemaking authority.)

(Signature of Officer authorized
to promulgate rules and regulations,
or his deputy.)

Sworn to and subscribed before me this
_____ day of _____, 20____.

(Signature of Notary Public)

(Notary Public Seal)

(End of Form)

(b) Table of Contents Page (Example):

RULES
OF
OFFICE OF SECRETARY OF STATE
ADMINISTRATIVE PROCEDURE DIVISION

CHAPTER 590-2-1
RULES OF GENERAL APPLICABILITY

TABLE OF CONTENTS

590-2-1-.01 Control Numbers; Department Numbers
590-2-1-.02 Numbering System

590-2-1-.01 Control Numbers; Department Numbers. Amended.

(1) Upon request, each State board, bureau, commission, department, activity, or officer. .
. . . . , etc.

(2) For rulemaking purposes, the agency title is eliminated from the control number
. , etc.

Authority O. C. G. A. Secs. 50-13-3, 50-13-4 and 50-13-6

590-2-1-.02 Numbering System. Amended.

(1) Each rule shall be given a number preceded by a decimal (.) which shall follow the chapter number.

(a) All rules shall be numbered consecutively.

(2) If a rule has only one paragraph, that paragraph shall be unnumbered and shall follow the rule title, which is followed by a period (.).

(3) If a rule has more than one main paragraph, each paragraph., etc.
Authority O. C. G. A. Secs. 50-13-3, 50-13-4 and 50-13-6

(End of Form)

1. On the Table of Contents page, the chapter **title** shall appear at **upper left** of page and the chapter **number** shall appear at **upper right** of page; if there is a following page, the chapter number shall appear at upper left of page and the chapter title shall appear at upper right of page, etc.

(9) If more than one chapter (or part/s of a chapter) is filed at the same time, a separate certification page shall be filed for each chapter.

Authority O.C.G.A. Secs. [50-13-4](#), 50-13-6. **History.** Original Rule entitled "Style and Form for Filing Future Rules and Amendments" was filed and effective on June 21, 1965 as 590-2-.04. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed November 1, 1965; effective November 20, 1965. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed June 29, 1966; effective July 18, 1966. **Amended:** Rule repealed and a new Rule entitled "Rules Filed After July 21, 1965" adopted. Filed December 29, 1978; effective January 18, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted, and Rule renumbered as 590-2-1-.04. Filed April 10, 1981; effective April 30, 1981. **Amended:** Filed August 13, 1985; effective September 2, 1985. **Amended:** Rule retitled "Rules Filed After August 30, 2000" adopted. Filed August 10, 2000; effective August 30, 2000. **Amended:** Rule retitled "Rules Filed After February 28, 2003. Filed February XX, 2003; effective March XX, 2003.